

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Forest Department - Diversion of 259.82 ha. of forest land in Reserve Forests of Kurnool Division for GNSS Flood Flow Canal from Gorakallu Reservoir to Owk Reservoir from Km 10.12 to 13.1, 39.525 to 41.483, 47.5 to 50.58, 51.4 to 52.7 & 55.725 to 56.4, in favour of Superintending Engineer, SRBC Circle No.2, Nandyal - Permission accorded - Orders - Issued.

ENVIRONMENT, FORESTS, SCIENCE & TECHNOLOGY (Section. II) DEPARTMENT

G.O.MS.No. 93

**Dated: 11-11-2014.
Read the following:-**

1. From PCCF, A.P, Hyderabad, Lr.Rc.No.33934/2008-F1, dt.3-11-2008.
2. State Govt. Lr.No.8607/For.I (1)/2008, dt:15-11-2008.
3. From GoI, MoEF, Lr.No.8-102/2008-FC, dt:30-9-2009.
4. State Govt. letter No. 8607/FOR.I (1)/2008, dt.8-9-2011.
5. From GoI, MoEF, Lr.No.8-102/2008-FC, dt:11-2-2014.

ORDER:

The Principal Chief Conservator of Forests, Andhra Pradesh, Hyderabad in his letter 1st read above, has submitted a proposal under Forest (Conservation) Act, 1980, for diversion of 259.82 ha. of forest land in Reserve Forests of Kurnool Division for GNSS Flood Flow Canal from Gorakallu Reservoir to Owk Reservoir from Km 10.12 to 13.1, 39.525 to 41.483, 47.5 to 50.58, 51.4 to 52.7 & 55.725 to 56.4, in favour of Superintending Engineer, SRBC Circle No.2, Nandyal, and requested to forward the same to Government of India, Ministry of Environment & Forests, for according necessary approval under Section-2 of Forest (Conservation) Act, 1980.

2. The said proposal was sent to Government of India, Ministry of Environment & Forests, for their approval under Section-2 of Forest (Conservation) Act, 1980 vide State Government letter 2nd read above.

3. Government of India, Ministry of Environment & Forests, vide their letter 3rd read above, have accorded their approval in-principle (Stage.I) under Section-2 of Forest (Conservation) Act, 1980, for the proposal, subject to compliance of certain conditions as stipulated therein.

4. The State Government vide letter 4th read above, have furnished compliance report on the conditions stipulated by the Government of India, Ministry of Environment & Forests, while according in-principle (Stage.I) approval. The State Government. vide further letters dated. 5-6-2012 and 30-1-2014 have furnished certain additional information as desired by the Government of India, Ministry of Environment Forests

5. Government of India, Ministry of Environment & Forests, in their letter 5th read above, have accorded their approval (Stage.II) under Section-2 of Forest (Conservation) Act, 1980, for diversion of 259.82 ha. of forest land in Reserve Forests of Kurnool Division for GNSS Flood Flow Canal from Gorakallu Reservoir to Owk Reservoir from Km 10.12 to 13.1, 39.525 to 41.483, 47.5 to 50.58, 51.4 to 52.7 & 55.725 to 56.4, in favour of Superintending Engineer, SRBC Circle No.2, Nandyal, subject to certain conditions as stipulated therein.

(Contd-2)

6. Government after careful examination of the proposal, hereby accord permission to the Principal Chief Conservator of Forests, Andhra Pradesh, Hyderabad, for diversion of 259.82 ha. of forest land in Reserve Forests of Kurnool Division for GNSS Flood Flow Canal from Gorakallu Reservoir to Owk Reservoir from Km 10.12 to 13.1, 39.525 to 41.483, 47.5 to 50.58, 51.4 to 52.7 & 55.725 to 56.4, in favour of Superintending Engineer, SRBC Circle No.2, Nandyal, subject to the following conditions:-.

- (i) Legal status of the land remains unchanged.
- (ii) (1) State Government shall raise compensatory afforestation from funds already realized from the User Agency over 259.82 ha. of non-forest land transferred and mutated in favour of Forest Department.
(2) The non-forest land transferred and mutated in favour of the State Forest Department shall be declared as Reserve Forest / Protected Forest under the Indian Forest Act, 1927, or the local Forest Act, as the case may be. The Nodal Officer, the Forest (Conservation) Act, 1980, Government of Andhra Pradesh must report compliance within a period of 6 months from the date of grant of this approval and send a copy of the original notification declaring the non-forest land under Section 4 or Section 29 of the Indian Forest Act, 1927, or under the relevant Section of the local Forest Act as the case may be, to the MoEF, for information and record, within a period of six months.
- (iii) State Forest Department shall implement the Addl. Catchments Area Treatment Plan from funds already realized from the User Agency.
- (iv) The State Government shall realize additional amount of the Net Present Value (NPV) of the diverted forest land, if any, becoming due after finalization of the same by the Hon'ble Supreme Court of India and transfer the same to the ad-hoc CAMPA under intimation to the MoEF.
- (v) The project area shall be demarcated on ground at the project cost, using four feet high RCC pillars, with each pillar inscribed with the serial number, forward and backward bearings and distance between two adjacent pillars.
- (vi) State Forest Department Authorities shall have free rights to use the project roads, approaches, watercourses, facilities of motor launches, rest houses, water nursery / forestry works and similar facilities to manage forest and Wildlife Sanctuary without any hindrance.
- (vii) Any tree felling shall be done only when it is unavoidable under strict supervision of the State Forest Department.
- (viii) Planting of native trees species shall be undertaken on vacant land along the reservoirs and canals so that area become more suitable for wildlife;
- (ix) No tree felling in the area between FRL and FRL-4 M. levels shall be carried out.
- (x) No labour camps shall be set up inside the forest area.
- (xi) No damage to the flora and fauna of the area shall be caused.
- (xii) The Forest land shall not be used for any purpose other than that specified in the proposal.

(Contd-3)

- (xiii) State Forest Department shall implement from funds realised from the User Agency the comprehensive wildlife management plan including access to water to wildlife through different measures including reducing the steepness of banks in a number of spots to allow animals to approach the water prepared in consultation with State Forest Department and the Chief Wildlife Warden (CWLW), Andhra Pradesh.
- (xiv) Any other condition that the CCF (Central), Regional Office, may impose from time to time for the protection and improvement of flora and fauna in the forest area.
- (xv) This approval shall also be subject to the orders to be passed by the Hon'ble Supreme Court of India in WP (C) No.202 of 1995 and connected matters;
- (xvi) The comprehensive R&R Plan for STs approved by Ministry of Tribal Affairs and their conditionality may be followed. The R&R Plan for others shall be as per National law and policy in this regard. These plan shall be implemented at the user agency's cost and in consultation with the State Forest Department.
- (xvii) All other conditions under different rules, regulations and guidelines including environmental clearance and forest rights of tribal and forest dwellers shall be complied with before transfer of forest land.
- (xviii) The User Agency shall submit the annual report on compliance to conditions stipulated in the approval to the State Government and the concerned Regional Office of the MoEF; and
- (xix) The project proposal should be implemented as per the technical clearance given by the competent authority as submitted for approval under the Forest (Conservation) Act, 1980.

7. The Principal Chief Conservator of Forests, Andhra Pradesh, Hyderabad is directed to take further necessary action in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

S.P. SINGH

PRINCIPAL SECRETARY TO GOVERNMENT.

To

The Principal Chief Conservator of Forests,
Andhra Pradesh, Hyderabad.

Copy to:

The Inspector General of Forests,
Government of India, Ministry of Environment & Forests,
CGO Complex, Paryavaran Bhavan, Lodhi Road, New Delhi.

The Superintending Engineer, SRBC Circle No.2, Nandyal

SF/SC

// FORWARDED :: BY ORDER //

SECTION OFFICER.